



**Office of the United States Attorney  
District of Arizona**

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**PRESS RELEASE**

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FOR IMMEDIATE RELEASE  
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**SIX INDICTED FOR THEFT OF GILA RIVER TRIBAL FUNDS**

PHOENIX -- A federal grand jury here yesterday returned six separate indictments, each alleging Theft from an Indian Tribal Organization, a violation of Title 18, U.S. Code, Section 1163. Those indicted are Darlina C. Mercado, 43; Dean G. Howard, 55; Cheryl J. Johns, 57; Randall L. Ruiz, 55; Vincent B. Barnargas, 33; and Carmen Robles, 36. All the accused reside in the Mesa, Chandler or Sacaton, Ariz. areas. Each of the accused is alleged to be a member of the Gila River Indian Community and has been summoned for an arraignment on Wednesday, July 20, 2005 before a U.S. Magistrate Judge.

The indictments allege that during 2000 and 2001 each of the accused received Gila River Indian Community Education Scholarships that paid for tuition and subsistence allowances while they were enrolled at the University of Phoenix. The subsistence awards, in amounts ranging between \$12,712 and \$21,712, were received by the defendants when they were not enrolled in any courses at the University of Phoenix. Each of the accused had acknowledged in their initial applications for the scholarships that the awards were conditioned upon their maintaining a 2.0 grade point average and being a student in good standing at the school. The scholarship requests were approved by the tribe's Education Committee upon the representation by Jacqueline Boni, the former Director of the Student Services Office, that the students were eligible for the continuing scholarship funds. Boni is separately charged with similar offenses and is currently pending trial.

Each of the federal indictments charge each of the accused with multiple counts of violating Title 18, U.S. Code, Section 1163, Theft from an Indian Tribal Organization. A conviction for each offense carries a maximum penalty of five years in prison, a \$250,000 fine or both. In the event of a conviction, a U.S. District Court Judge, in determining an actual sentence, will consult the U.S. Sentencing Guidelines which provide for the appropriate sentencing ranges. The judge, however, is not bound by those guidelines in determining a sentence.

An indictment is simply the method by which a person is charged with criminal activity and raises no inference of guilt. An individual is presumed innocent until competent evidence is presented to a jury that establishes guilt beyond a reasonable doubt.

The investigation preceding the indictment was conducted by the FBI. The prosecution is being handled by Richard I. Mesh, Assistant U.S. Attorney, District of Arizona, Phoenix.

CASE NUMBERS: CR-05-0689 through CR-05-0694  
RELEASE NUMBER: 2005-130

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